



Federal Communications Commission
Washington, D.C. 20554

August 12, 2015

Jeffrey Blumenfeld
Lowenstein Sandler LLP
2200 Pennsylvania Avenue NW
Washington, DC 20037

Re: EB Docket No. 11-71 (Request for Supplemental Pleading)

Dear Mr. Blumenfeld:

We have received your letter of August 5, 2015, informing us that you now represent Mr. Havens and the companies he manages in connection with the April 29 interlocutory appeals of Judge Sippel's April 22 order in the referenced proceeding.¹ In your letter, you request an extension of 40 days to file a supplemental interlocutory appeal on behalf of Mr. Havens and those entities.

On July 8, we granted leave to file a supplement to the pending interlocutory appeal to Mr. Dana Frix, counsel for Mr. Havens and for two of these companies.² You have informed us by letter dated August 7 that Mr. Frix no longer represents these clients and therefore would not be filing a supplement to the appeal.³

We partially grant your August 5 request for an extension of time. We grant this extension not due to the change in legal representation, which would not be a sufficient reason to modify a filing deadline. Rather, we determine that this extension is warranted for the reasons stated in the July 8 letter, and in the interest of the efficient resolution of the matter at hand. Consistent with the time periods provided for in the July 8 letter, you are permitted 30 days from the date of this letter to file a supplement to the April 29 appeals of Judge Sippel's order. We caution that we do not anticipate granting any further extensions of this date.⁴ As suggested by Maritime

¹ Memorandum Opinion and Order, EB Docket 11-71, FCC 15M-14 (rel. Apr. 22, 2015).

² Letter from Linda Oliver, Associate General Counsel, Federal Communications Commission, to Dana Frix, Chadbourne & Parke LLP, EB Docket No. 11-71, DA 15-796 (rel. Jul. 9, 2015).

³ Letter from Jeffrey Blumenfeld, Lowenstein Sandler LLP, to Linda Oliver, Associate General Counsel, Federal Communications Commission, EB Docket No. 11-71 (filed Aug. 7, 2015).

⁴ We note that Maritime Communications opposes the request for an extension of time, for the reasons it opposed the earlier request for an extension of time from Mr. Frix. Letter from Robert J. Keller, Counsel for Maritime Communications, to Linda Oliver, Associate General Counsel, Federal Communications Commission, EB Docket No. 11-71 (filed Aug. 5, 2015); Letter from Robert J. Keller, Counsel for Maritime Communications, to Linda Oliver, Associate General Counsel, Federal Communications Commission, EB Docket No. 11-71 (filed July 31, 2015). While we acknowledge the issues raised by Maritime Communications, we ultimately conclude that expediency and orderly process weigh in favor of granting an extension. Maritime Communications highlights the number of changes in legal representation that have been made in this matter. As above, we emphasize that the change in legal counsel is not the reason for granting this extension. Furthermore, we do not anticipate granting further extensions of time, even if there is another change in counsel.

Communications in its opposition, and consistent with your request, we direct that you make a single, joint filing on behalf of Mr. Havens and the companies he manages. The joint supplemental pleading, as well as any oppositions to it, may not exceed 25 double-spaced pages. As in our July 8 letter, we provide that opposing parties may file oppositions within 15 days after the filing of the joint supplemental pleading. You may file a reply within 10 days after that. Your reply may not exceed 5 double-spaced pages and may address only matters raised in any oppositions. The parties should continue to serve all parties and file all pleadings in EB Docket 11-71.

We take this action under the delegated authority granted in 47 C.F.R. § 0.251(b)(1).

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Linda Oliver", with a stylized flourish at the end.

Linda Oliver
Associate General Counsel

CC:

Parties to EB Docket No. 11-71
The Honorable Richard L. Sippel